IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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3									
4	MW LABORATORIES INC., a Georgia	Opposition No							
5	corporation	In the Matter of Application Serial							
6	Opposer,	No. 78-102,448							
7	vs.	Mark: SKIN FIT							
8	SOLAR COSMETIC LABS INC,	Filed: January 14, 2002							
9	Applicant.	Published: September 3, 2002							
10									
11		I 1884HI BENGA SAHA SAHA SAHA SAHA BENGA BAHA BENGA BAHA BENGA BAHA BENGA BAHA BENGA BAHA BANA BAHA BENGA BAHA							
12		09-25-2002							
13	NOTICE OF OPPOSITION U.S. Patent & TMOtc/TM Mail Rept Dt. #77								
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Opposer, MW LABORATORIES INC., a Georgia Corporation, with its principal place of business at 2002 Mills B Lane Blvd., Savannah, Georgia 31405, believes it would be damaged by registration of the mark shown in Serial No. 78-102,448 and hereby hereby opposes same.

As grounds for this Opposition, Opposer alleges that:

- 1. Opposer, since at least November 1998, has been using the mark SKIN FIT in connection with pharmaceuticals, cosmetics, skin care products and related accessories (the "Opposer's Mark").
- 2. Said use of Opposer's Mark has been valid, continuous, open and notorious public use since said date of first use and has not been abandoned.

3.	Opposer's	Mark	is	symbolic	of	extensive	good	will	and	significant
consumer re	cognition.									

4. In view of the similarity of Opposer's Mark and Applicant's mark, and the related nature of the services of the respective parties, as well as the similarity of the channels of trade and the consuming public, it is alleged that Applicant's application so resembles Opposer's Mark previously used in the United States, and not abandoned, as to be likely to cause confusion, or to cause mistake or to deceive the consuming public.

WHEREFORE, Petitioner prays that Application Serial no. 78-102,448 be rejected, that no registration be issued thereon to Applicant, and that this Opposition be sustained in favor of Opposer.

A duplicate copy of this Notice is enclosed herewith

Respectfully submitted,

Dated: 24 SEPT. 2002

MW LABORATORIES INC.

Val D. Hornstein
HORNSTEIN LAW OFFICES

20 California Street, 7th Floor

San Francisco, CA 94111 Telephone: 415-454-1490

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Attorneys for Opposer

CERTIFICATE OF MAILING BY USPS EXPRESS MAIL

Express Mail Receipt No. EMLO1596149US

I hereby certify that on September 24, 2002, pursuant to Trademark Rule 1.10, this Notice of Opposition is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service in an envelope addressed to:

Assistant Commissioner of Trademarks Box TTAB - Fee 2900 Crystal Drive, Arlington, VA 22202-3513 Attn: Trademark Trial and Appeal Board

Dated: September 24, 2002

munth

Val D. Hornstein

HORNSTEIN LAW OFFICES

ATTORNEYS AND COUNSELORS

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MARIN COUNTY OFFICE PO BOX 151602 SAN RAFAEL, CALIFORNIA 94901

24 September 2002

Assistant Commissioner for Trademarks 2900 Crystal Drive Arlington, VA 22202-3513

Attn: Trademark Trial and Appeal Board

Via Express Mail

THE RESERVE AND THE RESERVE AN

09-25-2002 U.S. Patent & TMOfc/TM Mail Ropt Dt. #77

Dear Sir or Madam,

Enclosed for filing with the Trademark Trial and Appeal Board is an original and two copies of Opposer MW Laboratories Inc.'s NOTICE OF OPPOSITION re Application SN 78-102,448, fee in the amount of \$300.00, an Express Mail Certificate and an addressed, stamped reply postcard. Please file the foregoing and commence this Proceeding.

Thank you.

Very truly yours,

VAL D. HORNSTEIN